

E-filed 6/12/ 08

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Attorney for Plaintiff

UNITED STATES DISTRICT COURT

FOR NORTHERN DISTRICT OF CALIFORNIA

JOSE DE LA PAZ SORTO, on behalf of
himself and similarly situated others
Plaintiff,

Case No.: C08-189 HRL

MOTION TO CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE &
[PROPOSED] ORDER

HANNEGAN, BENSON & CO., INC. doing
business as C.B. HANNEGAN's, CHRIS
BENSON, Does 1-10 ,
Defendants

Plaintiff, through his counsel, hereby moves to continue the Initial Case Management Conference currently set on June 10, 2008 as follows:

1. Plaintiff filed the Complaint on January 11, 2008.
 2. Defendants were served on February 5, 2008. See Docket # 6, 7 & 8.
 3. At one point after the effectuation of service, I was contacted by a person who
d to be the attorney for Defendants. However, no appearance was made on behalf of
dants.
 4. Plaintiff has filed the First Amended Complaint, which will be served upon
dants today. Should Defendants still fail to respond to the First Amended Complaint,

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Plaintiff will seek a default against Defendants for \$100,000 as set forth in the First Amended Complaint.

5. Accordingly, Plaintiff requests a 35 day continuance for Defendants to respond or for default proceedings.

I declare under the penalty of perjury under the laws of the United States that the foregoing is true and accurate.

Dated: June 5, 2008

By: /s/ ADAM WANG
Adam Wang
Attorney for Plaintiff

~~[PROPOSED] ORDER~~

IT IS HEREBY ORDERED that the Initial Case Management Conference currently scheduled on June 10, 2008 be continued to July 15, 2008.

IT IS SO ORDERED.

Dated: June 11, 2008


Howard M. Lloyd
United States Magistrate Judge

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THIS SHALL CERTIFY THAT NOTICE WILL BE SENT TO:

Adam Wang waqw@sbcglobal.net

* Counsel are responsible for providing copies of this order to co-counsel who have not registered for e-filing.

Date: June 12, 2008

MPK
Chambers of Magistrate Judge Howard R. Lloyd